

APR. 9. 2004 4:03PM

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CALLED TEL. NO.: (703) 872-9314  DWK  
TO : U.S. Patent and Trademark Office - Attn: Examiner R. Yang  
FROM : Greenblum & Bernstein, P.L.C., Joshua M. Povsner  
DATE : April 12, 2004  
SUBJECT : U.S. Patent Application No. 09/608,008 in the name of T. NAKAYAMA, entitled "Image Processing Computer System for Photogrammetric Analytical Measurement" Our Ref.: P19355

Dear Mr. Yang:

Pursuant to our telephone conversation of April 9, 2004, in which you indicated that you had not received the Response Under 37 C.F.R. §1.116 that we filed on February 12, 2004, please find attached hereto a copy of the Response, along with a stamped Filing receipt that accompanies the Response (the stamp indicating receipt by the PTO on February 12, 2004). As the attached Response was submitted after final rejection, we hope that you will act on the Response as soon as possible.

If there should be any questions, please do not hesitate to contact Joshua Povsner at the below-listed telephone number.

Best regards,  
Bruce H. Bernstein/JMP

APR. 9. 2004 4:03PM  
P19355.P07

GREENBLUM&BERNSTEIN

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Intellectual Property Causes  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

NO. 7937 P. 2

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Response under 37 C.F.R. 1.116  
Expedited Procedure Requested  
Examining Group. 2672

Attorney Docket No. P19355

In re application of : Toshihiro NAKAYAMA

Serial No. : 09/608,008

Group Art Unit: 2672

Filed : June 30, 2000

Examiner: R. R. Yang

For : IMAGE PROCESSING COMPUTER SYSTEM FOR PHOTOGRAMMETRIC ANALYTIC  
MEASUREMENT

Mail Stop AF  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an Amendment under 37 C.F.R. 1.116 in the above-captioned application.

☐ Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.

☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

☐ A Request for Extension of Time.

☒ No Additional Fee.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 33	37	0	x 9=	\$	x 18=	\$ 0.00
Indep. Claims: 4	4	0	x 43=	\$	x 86=	\$ 0.00
Multiple Dependent Claims Presented			+145=	\$	+290=	\$0.00
Extension Fees for Month				\$		\$0.00
Total:				\$	Total:	\$0.00

\*If less than 20, write 20

\*\*If less than 3, write 3

Please charge my Deposit Account No. 19-0089 in the amount of \$\_\_\_\_\_.

☐ N/A A Check in the amount of \$\_\_\_\_\_ to cover the filing/extension fee is included.

☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of times fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136)(a)(3)

Bruce H. Bernstein  
Reg. No. 29,027

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Intellectual Property Causes  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

2/12/2004

File In: MAILROOM

The Patent Office Date stamp hereon is an acknowledgement that, on the date indicated, the Patent Office received the following:

- ☒ Amendment 1.116 ☐ Claim of Priority & Certified Copy of \_\_\_\_\_
- ☐ Executed Assignment and cover letter ☐ Declaration ☐ Supplemental ☐ New ☐ Unexecuted ☐ Executed by facsimile
- ☐ Executed S.E.S. ☐ S.E.S. Assertion ☐ Req. for Ext. of Time
- ☐ Fee Filing ☐ Recording ☐ Issue ☐ Extension
- ☐ Fee Transmittal ☒ Transmittal Letter ☐ Patent Application ☐ Provisional ☐ Reexam ☐ Reissue ☐ Design ☐ Continuation ☐ CIP \_\_\_\_\_ pages (w/abstract) \_\_\_\_\_ claims \_\_\_\_\_ independent \_\_\_\_\_ sheets of drawings \_\_\_\_\_ figures
- ☐ Maintenance Fee Payment ☐ I.D.S. form PTO-1449 & References ☐ as attached ☐ as listed on reverse
- ☐ PTOL-85B Issue Fee ☐ One self-addressed postcard
- ☐ Letter to Draftsman ☐ Certification under 1.97(e)
- ☐ Design Patent Application Transmittal ☐ Certificate of Mailing (C-O-M)
- ☐ Utility Patent Application Transmittal ☐ Returned Envelope
- ☐ Provisional Application Cover Sheet
- ☐ Continued Prosecution Application (CPA) Request Transmittal
- ☐ Request for Continued Examination (RCE) including Submission
- ☐ Cover Letter
- ☐ Check No. \_\_\_\_\_ for \$ \_\_\_\_\_
- ☐ Rule 53b and 53f Letter for Unexecuted Application



In the matter of : IMAGE PROCESSING COMPUTER SYSTEM FOR PHOTOGRAMMETRIC ANALYTIC MEASUREMENT

Applicant : Toshihiro NAKAYAMA

Application No. : 09/608,008

Patent No. :

Filed : 6/30/2000

Issued :

Docket : P19355

JMP

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P19355.A09

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Toshihiro NAKAYAMA  
Group Art Unit: 2672  
Appln. No. : 09/608,008  
Examiner: R.R. Yang  
Filed : June 30, 2000  
For : IMAGE PROCESSING COMPUTER SYSTEM FOR  
PHOTOGRAMMETRIC ANALYTIC MEASUREMENT

## RESPONSE UNDER 37 C.F.R. §1.116

Commissioner of Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir :

In response to the Advisory Action of the U.S. Patent and Trademark Office dated December 17, 2003, maintaining the rejections set forth in a Final Official Action dated August 13, 2003 (in which a three-month shortened statutory period for response was set to expire on November 13, 2003), the period for response having been extended on January 13, 2004 by a Notice of Appeal and Request for a (two-month) Extension of Time to expire on March 15, 2004 (March 13, 2004 falling on a Saturday), Applicant respectfully requests reconsideration and withdrawal of each of the outstanding rejections, as well as an indication of the allowability of all the claims now pending.